

June 15, 2006

(AR-18J)

Laurel Kroack, Chief  
Division of Air Pollution Control  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276

Dear Ms. Kroack:

On August 18-20, 2004, the United States Environmental Protection Agency (USEPA) conducted an on-site evaluation of the Illinois Environmental Protection Agency's (IEPA) new source review (NSR) permit program. USEPA is scheduled to conduct NSR program evaluations for all permitting authorities nationwide. Enclosed you will find a copy of our final report on the IEPA NSR and Prevention of Significant Deterioration (PSD) program.

As part of our evaluation, we were to identify program strengths and those areas needing improvement. Among the strengths is IEPA air permit staff's excellent understanding of the NSR/PSD program, especially with respect to the applicability of the revised Federal rules. IEPA has been in the forefront of implementing the PSD program in conjunction with the applicable requirements of the Endangered Species Act. We also appreciate IEPA's efforts to update and keep current determinations for the RACT/BACT/LAER Clearinghouse as permits are issued.

Among the areas for improvement include IEPA's records filing procedures. We consider this important due to the significant public interest IEPA faces in some of its permitting actions. As part of the ongoing IEPA permitting activities, IEPA utilizes its filing system to ensure a company is not attempting to circumvent any applicable permitting requirements by separating projects over a period of time. Additionally, IEPA has stated that it needs to improve the level of information made available to the public on the Best Available Control Technology (BACT) determination found in the preliminary determination document for a PSD permit. We would like to work with IEPA to address the areas needing improvement.

In response to IEPA's suggestion, we will commit to work with IEPA to improve the method of communicating our significant determinations, and programmatic NSR/PSD rulemaking efforts. We plan to have significant determinations and programmatic rulemakings made available electronically, which would then be forwarded to our state permitting authorities. You suggest more information from USEPA would be useful on Federal NSR rule changes, and improvements to training on BACT/LAER determinations. USEPA will work to communicate quickly to IEPA any rule changes or training opportunities as they are made available. Lastly, you would like to see USEPA provide IEPA additional communication of significant determinations made in other states, to ensure consistency in how multi-state sources are treated. USEPA will work to provide you timely information in our regularly schedule program calls as well as during the quarterly calls we hold.

We would like to thank you and your staff for your assistance with the evaluation. If you have any questions, please contact me, or have your staff contact Constantine Blathras at (312) 886-0671.

Sincerely yours,

/s/

Cheryl L. Newton, Acting Director  
Air and Radiation Division

Enclosure

cc: Don Sutton  
Illinois Environmental Protection Agency